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ABSTRACT

This activity is one of a series of 17 teacher-developed instructional activities for geography at the secondary grade level described in SO 009 140. The simulation investigates land-use conflict between the government and the Seneca Indian nation. Given data about a proposed dam project which would destroy an Indian reservation but protect recreation areas, railroad lines, and roads from flooding, students play roles of Indian leaders, senators, journalists, and concerned citizens. The objectives of the exercise are to help students become aware of the complexities involved in land-use conflicts and to comprehend that the solutions are not always acceptable to all. In an inductive learning process, students read newspapers, listen to broadcasts, study maps, discuss their positions with other groups, and role-play. A debriefing, the key to the success in the simulation, follows the activity. The debriefing is designed to clarify for students the fact that the game's value is not in the resulting decision about construction of the dam but rather is in the various skills developed, attitudes involved, learning processes used, and content learned from the game. Detailed descriptions are given for each of the four to six class periods that are needed to complete the activity. Included are instructions, roles, and quotes from Indian leaders, senators, journalists, and concerned citizens. (DB)

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INSTRUCTIONAL ACTIVITIES SERIES IA/S-4

YOU CAN'T SELL YOUR MOTHER: CONFLICT BETWEEN THE UNITED STATES GOVERNMENT AND THE SACNE NATION

by

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and
Robert DosPassos and Robert Miley, Hanby Jr. High School
Wilmington, Delaware

This is a simulation exercise based on an actual land use conflict; The Kinzua Dam Project on the Allegheny River of Northwestern Pennsylvania and Southwestern New York, involving the U.S. Government and the Seneca Indian Nation.

I. Introduction.

This experience is divided into approximately four to six class periods. At the completion of the exercise students should see the complexities involved in a land use conflict, and that the solutions are not always acceptable to all.

The students are led through an inductive learning process, following which there is a debriefing period partially student-oriented and partially the responsibility of the teacher. During this debriefing period, the instructor serves as a discussion leader and is responsible for posing key questions which will allow the players to identify the learning processes used, the skills developed, the attitudes involved, and the content acquired during the experience.

II. Detailed Description of Each Day's Activity.

First Day.

1. Introduction - the teacher should tell the students that this is a land use conflict study, and that it is patterned after an actual conflict. The class elected Senators will ultimately make a decision on the conflict while pressure groups will attempt to sway the decision. The content of the game will be contained in various sources: newspapers, news broadcasts, maps and contacts with other groups during flow periods. The game will run a minimum of 4-5 days.

2. At this point the teacher spells out the instructor's role. The role is to be limited so as not to provide an answer for every problem, but rather to let the students work out their own solutions. He can interpret for students if necessary but his active role should be only during the debriefing period.

SO 009 153

3. Selection of students for key roles: 3 senators, 1 secretary, 4 media members. The remaining students will be divided into five interest groups.

4. Each group is to choose a number from one to five. After choosing its group number, each is given the number of purchase points which have been assigned to that number.

Group Designations and Purchase Points

Group # 1 - 10 Points
Group # 2 - 20 Points
Group # 3 - 37 Points
Group # 4 - 15 Points
Group # 5 - 30 Points

The groups then select their newspapers.

Newspapers (Sets available - purchase price).

The Down River Press (A series of government interviews)	3 sets	7 purchase points
The Council (An Indian View)	2 sets	3 " "
The Local Observer (A small town outlook)	5 sets	5 " "
The Metropolitan Gazette (A world-wide outlook)	2 sets	15 " "
The Friendship Journal (A social-activist perspective)	1 set	7 " "

Each member of the group will receive a copy of the newspaper selected, but newspapers will not be distributed until the next day. Group decisions on newspaper purchases are binding. The teacher does not identify the objectivity or bias of the newspapers.

Second Day.

1. A radio program of continuous music is provided throughout the second day.

2. A newsflash (developed from the newspaper information given the media people) will be given immediately to settle groups and to provide general background information for all groups.

3. Newspapers are distributed according to the previous days purchases.

4. Students are given time to read the newspapers and interact in their own groups. During this stage, a second newsflash will be given.

5. Students are given a flow period before the end of the class. A third newsflash will be given at this point. Students thereafter return to groups to organize presentations for Senators, and interviews by the media team.

Third Day.

1. Newsflash: "Senate gives its final decision today regarding the construction of the dam."
2. Distribute role cards (see roles).
3. Groups not seeing the Senators will be interviewed by the "White Paper" team (media personnel), or they may be working on their presentations to Senators before they meet them.
4. By the end of the class period the Senators should announce their decision regarding the construction of the dam. The media people could announce the decision with a newsflash, for the Senators do not have to meet with the class to announce this decision. (The Senators present the basis for their Decision on the fourth day.

Fourth Day.

1. Senators must explain their position on the vote.
2. Media people present their own views and state why they take this position.
3. Teacher debriefing begins and it goes as far as the individual teacher wishes to pursue the ideas identified in the debriefing.

ROLES

A. Senators (3)

1. Pepe LePhew
   a) majority leader in Senate; b) head of sub-committee on Indian affairs; c) chairman of Finance Committee; d) head of Public Works subcommittee; e) interviews at least two groups; f) senior Senator from the south; g) not to discuss his position with groups that he does not interview formally nor with other Senators; h) has 5 votes.

2. Ned Noodle
   a) home state Senator; b) committee member of Foreign Relations Committee; c) member of subcommittee on defense of tariffs; d) no limitation to number of groups he may see; e) not to discuss his position with groups not interviewed nor with other Senators. f) has 2 votes.

3. Dan Tepee
   a) Senator from far west;
   b) junior Senator;
   c) member of subcommittee on tribal lands;
   d) member of subcommittee on urban affairs;
   e) member of committee on banking and finance;
   f) no limit to the number of groups he may see;
   g) not to discuss position with groups not interviewed nor with other Senators;
   h) has 2 votes.

B. Secretary

1) to regulate access of groups to Senators;
2) to encourage specific groups through memos to see Senators if they have not requested to do so.

C. Media People (4)
Two T.V. and 2 radio personnel prepare newscasts from only those ideas found in the Down River Press or the Local Observer. This means media are given two newspapers on first day.

They prepare T.V. "White Paper" based on interviews with groups not involved with Senators. Possible title: "The View of the People. "

D. Role of the Five Groups.
Their purposes are to formulate positions regarding the construction of the dam for presentation to the Senators and Media personnel.

III. Debriefing: An Inductive Approach.

The debriefing is designed to clarify for the students that the game's value is not in the resulting decision involving the construction of the dam, but rather in the value of the various skills developed, the attitudes involved, the learning processes used, and the content. This period is the key to the success of this game. The open-ended nature of the game is reflected in the number of choices offered to the teacher in the following list. Teachers may be selective in deciding which of the following debriefing elements are to be included; however, all elements should be used inductively.

To show there are many relevant elements to a problem, and that as many of these elements as possible should be examined to show the linkages and significance of the hypothetical game to real life.

To review and tie together significant elements of the game so that those receiving only a portion of the information will eventually see the entire situation.

To have students identify the information that they would have liked to have had to permit them to arrive at a more objective or effective decision.

To demonstrate that each individual's background predisposes that he perceive situations in such a way as to influence his actions and decisions during the experience.

To lead students into a discussion concerning the various ways in which they obtained information.

To have students describe the types of information they relied on most/least, and have them describe what type they feel has the greatest impact on a real life situation --audio, visual, audio-visual, printed matter, interviews.

To show the students that regardless of how well the decision makers analyzed the relevant elements involved in the game, it should not be assumed that this will always be the case in real situations.

Have students analyze how their group functioned.

Have students realize that some political channels are more influential than others.

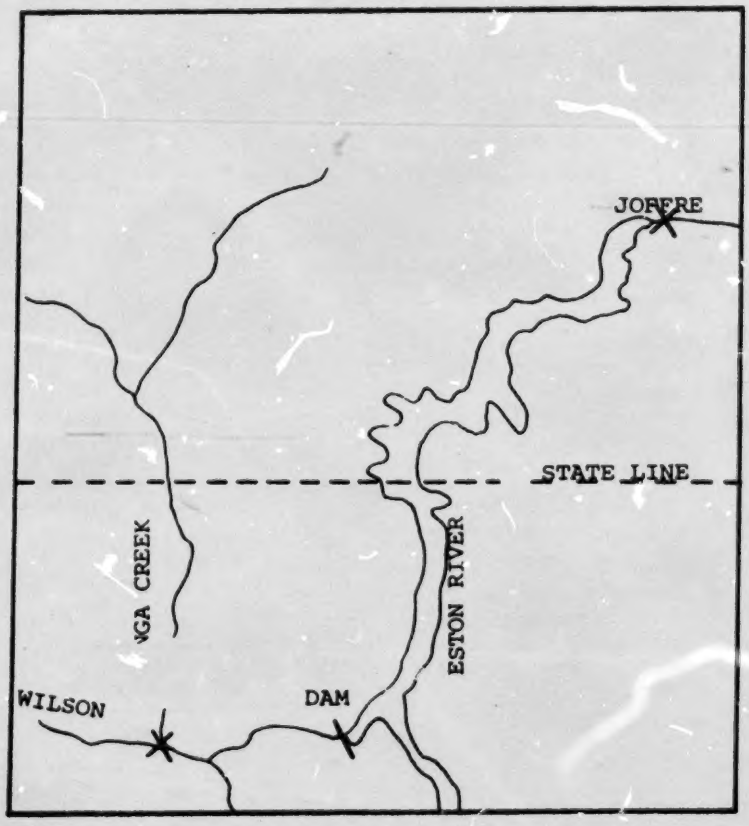
Have the students understand how to read a newspaper -- a paper is more than sports and comic strips, that the size of the print and headlines are important.

Have the students identify the frustration that entered the game when students did not have access to all sources of information.

Discuss with students the concepts of volume, velocity, and selectivity of information to have them develop an understanding of how these concepts influence decisions.

THE DOWN RIVER PRESS: A SERIES OF GOVERNMENT INTERVIEWS

Vol. 1698, No. 5 Jefferson, Carvania 7 points



Kilbert Project

An Interview with General Wilbur, Head of The Corps of Engineers

General Wilbur in responding to questions about the Kilbert Dam stated: "This city will be spared the ravages of flood waters from the Eston River upon completion of the Kilbert Dam. This flood control is not the only benefit; during the low water season adequate river level will be assured by the release of water held in the 550,000 acre/foot reservoir created by the Dam." He continued, "The 160 foot high dam when completed will create a lake with 300 miles of shoreline."

In response to a question about Indian outrage, General Wilbur stated, "the lands to be flooded, permanently or intermittently, include approximately 10,000 acres on the Eston Reservation, one of three reservations of the Sacne. These 10,000 acres are about one-third of the entire acreage within the Eston Reservation. According to estimates by the Corps of Engineers approximately 5,000 acres of Sacne land within the taking area will be available for use by the Indians for farming, grazing, hunting and other similar purposes, but not for habitation. Only 127 families will be moved as a result of this dam. When we built the great Bonneville Dam in Oregon we moved 6,000 people with very little disturbance."

By Clark Kent

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Courts Decide for the Right of Government to Take Indian Land

The Sacne nation contested in the courts the authority of the Corps of Engineers to condemn land and to construct the project. They held that the Treaty of November 11, 1794, which reserved these lands to the Sacne had been violated in that the treaty provided that the United States would never claim the land nor disturb the Sacne nation in its free use and enjoyment thereof.

However, the treaty also provided that the land shall remain in the possession of the Sacne until they choose to sell the same to the people of the United States who have the right to purchase.

The Sacne nation lost their suits, and the District Court decided that Congress had authorized the taking of the lands. The opinion was handed down by the U. S. Court of Appeals, District of Columbia. In supporting this position, however, the issue of moral responsibility of the Sacne was raised. The United States Supreme Court refused to consider the case.

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Bill's Gossip (Newsworthy Notes?)

A well-placed government official has stated that money should be coming in next year's budget to begin the Kilbert Dam. It appears that many of the obstacles have been removed in the long struggle to build the dam.

. . . . . .

The appearance of Senator LePhew on the Johnny Frost show last evening showed the importance of the Finance Committee and gave me a new look at the operations of the Senate. Who would have imagined it took so much work on the part of this one man to get a bill through the Senate?

. . . . . .

We see where Governor Mortan of Newstate is on his way to Mexico for a three week vacation. I just wish I could get one week off. Some people have all the luck.

Bill Carson

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To The Editor:

How many times do you lose before you lose?

I've watched the political "progress" of the much-needed Kilbert Dam. As a citizen of Jefferson, I believe any further delay in its construction will be disasterous for all those people living in the Eston Valley. The Sacne Indians lost their appeal in the courts when the courts decided that Congress had authorized the taking of the lands. Why has Congress not acted to authorize the funding? Senator LePhew has said it all when he stated, "The delay in constructing the Kilbert Dam has cost thousands of people untold suffering from devastating floods which hit the Eston Valley every year." How many times do you lose before you lose?

Joe Harper, Jefferson, Carvania

THE COUNCIL: AN INDIAN VIEW

Vol. 6 No. 2 Eston, Carvania 3 points

The Land Is Your Mother

Senator LePhew, powerful chairman of the Senate subcommittee on Public Works, asserted yesterday, "The completion of this dam will be but a minor inconvenience to the Sacne Tribe. As a matter of fact, it will be a silver lining behind a temporary black cloud. The dam will cause no great loss to these people, since all property rights will be protected by eminent domain proceedings." This thinking reflects the cultural views of most non-Indian Americans. Most Americans believe that land can be taken from anyone so long as it is paid for. However, to the Sacne and most other American Indians, land is irreplaceable. "The land is your mother. You do not sell your mother."

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Indians To Accept Mandate of Dam Study Commission

In an interview with John Wildtree, staff writer for The Council, at the annual council of nations meeting to discuss the proposed dam, Chief Little Horne said that "It has always been the position of my people that we will abandon our opposition to the Kilbert Dam if and

when it is shown by competent and objective investigation that (1) a dam is necessary and (2) that there is no feasible alternative to the proposed sight. We have never ceased to be deeply concerned with the welfare of all mankind and will do everything within our power to cooperate in bringing to fruition our country's quest for sufficient water and to control the floods which have been so devastating to the property and lives of our white brothers."

Chief Little Horne went on to say, "if the dam were deemed necessary the Indians would be willing to sit down with representatives from the U. S. Government to negotiate revision of the treaty."

This seems to be a position not acceptable to the U. S. Government because of the special interest groups that have invested large sums of money and time based upon assurances that the Kilbert Dam would be built. Again the Indian land is sacrificed even when a possible alternative plan exists.

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Will The Trail Of Sorrow Never End?

A Solemn and Demanding Obligation

Can there be any harm done if the proposed Kilbert Dam Project is postponed? Our country faces many demanding and grave problems, but let us not forget the tremendous concerns of the Sacne Tribe when they offered a new struggling government their help, rather than accept the offer of a foreign government to harass a very weak, young America.

One basic tenet of our democratic way of life has always been the end does not justify the means. That is, it is not permissible to play the game by any rules (the means) just to achieve victory (the end result). If the honor of America can best be served by a delay of the project so that the alternative plan can be considered, then the cost of a little delay would not be too expensive. The honor of America must not be mocked by forgetting our American heritage.

Editorial: Case to Be Appealed.

The Federal Court of Appeals in Washington held that Congress had approved the taking of the Indian land for the Eston River flood control project. The decision apparently was based primarily on the legislative history of the project. Prior legislation was created in as far back as June 20th, 1923 and June 26th, 1933. Funds were provided in 1944, and because of this the Court felt Congress had every right historically to create such a project.

It is interesting to note that the morality of taking land which was forever to be Indian was never considered. In fact, the historical argument was not to be applied when considering the fact that the Indian was given the land in 1794--long before the 1933 date which the Court of Appeals found to be so significant. But then, it has always been easy for the "White Father" to forget historical promises made to the "Red Man", and actually, who really remembers the drunken Indian Ira Hayes? The Indian made the nickel in America, but he never made the dime. His contributions have always been considered limited in value, so it has been easy to justify the many wrongs done to him.

To The Editor:

It would be interesting to see the American public awaken some morning to the following headline: Metropolis Is To Be Used To Create An Estuary So Vitally Needed In America's New Ecology Drive. What would be the nature of outcries heard from the various public and economic interests? In fact, the economic interests would never have allowed such an event to be considered, regardless of whether it would be logical or illogical. Apparently right is not as important in America - land of justice - as money. If only the roles could really sing with feeling

You bring out your medicine man;
you bring out your squaw -
and we will give you justice,
under Indian law.

Charlie Redfeather

LOCAL OBSERVER: A SMALLTOWN OUTLOOK

Vol. III, No. 25 Wilson, Carvania 5 points

Chamber of Commerce Report

After an interview with Mr. Johnson at the weekly Chamber of Commerce meeting last night, Joe Ramblaski returns the following.

Question: Mr. Johnson, why has the Chamber of Commerce supported so strongly the Corps of Engineers proposal for the Kilbert Dam?

Answer: Mr. Ramblaski, since 1948 we have had three major floods, each causing over $500 thousand dollars damage just here in Wilson.

Question: Why has the Chamber of Commerce opposed consideration of the alternate proposal offered by the Sacne tribe?

Answer: The Corps of Engineers has completed extensive studies including test borings at Devils Elbow and to consider an alternative at this point is defeating the purpose.

Question: Do you believe your group reflects the feelings of the community at large?

Answer: Well, yes, our group represents a cross section of the community and we are 100 percent behind the government proposal. Now don't misunderstand me, I am sure you can find a few people here in Wilson who are not in favor of the dam. But then, you will always find a few oddballs in every community.

Question: Can you name anyone who doesn't share your view?

Answer: I don't know anybody here in Wilson but you might find a few up the river.

Question: You're referring to the Sacne Indians and leftists?

Answer: You do not have to be too smart to see that "those outsiders" are, up there, creating a scene.

Question: Mr. Johnson, it seems to me you must have quite a few fishermen in this area. Are they in favor of the dam?

Answer: I don't fish, and as I told you I don't know anybody who opposes the dam.

Question: Whom do you think will benefit financially from the building of the Dam? What other than the savings will people realize as a result of protection from flood control in the future.

Answer: As you said, the major savings will be those resulting from no floods. Of course, our city will be the center of activity for the builder when the dam is started. We have estimated that in the neighborhood of $3 million will be spent over the two years to complete the construction.

Question: Do you see the county becoming a service area for recreation activities in connection with the lake formed by the dam?

Answer: As you know, most of the development of the dam will be the responsibility of the United States Forest Service and until its master plan is a reality we can't say for sure how much we will gain from this project.

Question: Just one more question; What percentage of the people here in Wilson, would you say, are in favor of the plan?

Answer: In a sense I have already stated that, but if you want percent figures, I would have to say 93% in favor of and 7% against.

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T. V. HIGHLIGHTS

7:30 (6) PLANT WORLD--The Mojave Desert, the dry wasteland in the west, one of the least understood regions on earth, is studied.

(10) PISTOLESMOKE--"The Train"; Marshall Dillon is escorting prisoners to county jail and runs into renegade Indians who demand the murderers of Chief Lightfoot's daughter, Heavy Toe. Ethically the good Marshall will not give up his prisoners and challenges Lightfoot to a race home in order to see who breaks the tape. Also, a wild party is given by Miss Kitty.

11:30 (3) THE JOHNNY FROST SHOW--Tonight's show features the following guests: Three-Dog-Night, Ray Charles, Raquel Welch and Senator LePhew, the noted Senator from Virginia.

Editorial: Fry on Fish
by Charlie Fry

Well folks, again it is time to discuss that new "rumor" which has been infesting our community. When we were boys the old swimming hole was a relief from the heat--ah yes, the old swimming hole. And all of it belonged to us. We didn't have to worry about new fangled motor boats, and an invasion of all those urban, fad-seeking, and new-thinking outsiders coming here to use it, like we will with the new "rumored" lake. (As previously mentioned, this old boy refuses to acknowledge the proposed project.) And, this issue doesn't stop with our old swimming hole.

Zap! The feeling of that first fish striking that line, and the eventual cooking of that fish with a few strips of bacon on a cold morn-

ing. Oh, that smell! Well, forget it gentlemen, that "rumored" dam will create "wildfire" havoc with our favorite river fishing places. The temperature changes and the stirred up sediment will affect our fish. Why, everyone knows our fish wouldn't want to live in such water. I guess those outside frogmen like it--that's one of the new recreation promises we hear about. (And anyway, flooding was good enough for my father and his fish.)

The weather looks great for fish--so better get out while the getting is good and invite the "old fishermen over for that fish fry."

Charlie Fry

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To The Editor:

The "old fisherman" hasn't destroyed his image, he's as unscientific as he was before I went away to college. Let us try to study the proposed dam project in a more rational manner. First of all, the temperature change will stimulate algae growth; and secondly, the temperature change will not be bad for the existing species of fish and will actually allow an introduction of new sporting types. Sediment, yes, but a mere flash in the pan, (to borrow a favorite phrase from his royal highness), over before it is realized. In regards to the old swimming hole, imagine the new facility, large enough to benefit a larger, more needy society.

Wilfred Tate, III

ed. note

Doesn't college do wonders for our young? No sentiment, just cold, hard facts. Possibly Jim should return to the "old swimming hole". Some of the old-fashioned sentiment just might bring him into contact with reality.

METROPOLITAN GAZETTE: A WORLDWIDE OUTLOOK

Vol. 78, No. 7 Metropolis, Newstate 15 points

Kilbert or Kilanga-Courase

Due to the tremendous controversy that has been generated by the two proposals submitted for flood control, and the great number of rumors and half truths that have been circulated, it is necessary to view both plans objectively, being sure to take into consideration the information available on each project.

The Kilbert Dam Project is to be constructed to control flooding and provide for a steady flow of water during the "Low Water Flow" periods of the year on the Eston River. A dam with a storage capacity of 745,000 acre feet of water during flood periods and 550,000 acre feet of water for increasing low water flow will be constructed just north of Wilson. The dam will flood all of the Eston Valley to the

north in Carvania and two-thirds of the usable part of the Sacne Indian Reservation in Newstate to the city of Erringville. At the time this controversy began, initial construction had already started on the Kilbert Project. The Army Corps of Engineers' investigation shows the Kilbert project to be less expensive, displace fewer people, and flood less land than the Kilanga-Courase Project.

The Kilanga-Courase project, if constructed, could divert water from the Eston River through a six mile channel into Lake Northern. This project would have a storage capacity of 1.5 million acre feet of water and would be adequate for all flooding situations as well as serving low water needs during the drier season. In the case of consecutive floods occurring in a short time period, excess water could be passed out through a channel to Lake Northern, whereas the Kilbert Project must empty flood waters after each flood with no place for excess water. Dr. Smith said that his plan will not flood the Eston Valley which includes, aside from the Sacne Reservation, recreation areas, railroad lines, and roads. But also it will give greater water flow for the Eston River during the drier parts of the year. Possibly of great significance is the fact that no government organization ever did an objective study of this plan.

THROUGH AMERICAN INDIAN EYES

In order to understand the Kilbert controversy, Americans with different cultural backgrounds have to look at the Sacne problem through American Indian eyes. In 1960, when George Crane was President of the Sacne Nation of Indians, he made the following statement to the House Subcommittee on Indian Affairs:

> "My name is George D. Crane. I live on the Eston Reservation in Newstate, and I am President of the Sacne Nation of Indians. I appear before this Subcommittee today as an official representative of my people to express once again their unaltered opposition to the construction of the Kilbert Dam. As you know, this project will flood the heart of our reservation homeland (which we Sacnes have peacefully occupied since the Treaty of November 11, 1794, under the protection of the United States), and will force the relocation of more than 700 members of the Nation.
>
> Before starting the main part of my remarks this morning, I would like to clear up several misstatements which were made to this Subcommittee during the hearings yesterday. My friends from Carvania seem to believe that some Sacnes are willing to sell their lands. I do not know where these witnesses got their information, though I suppose every group, even an Indian nation, contains a few unhappy people who will sell out their birthright. I do know that the overwhelming majority of my people, including every councilman and other tribal leader, both in and out of office, is trying desperately to save our reservation. The thought that we would freely give up the lands of our ancestors, which we are pledged to hold for our children yet unborn, is so contrary to the Sacne way of life that it is not even considered seriously.

Next, my friends from Carvania have said that the Treaty of November 11, 1794, was abrogated when all Indians became citizens in 1924. I would like to point out that the 1794 Treaty was signed by the Sacne Nation, not by individual Sacne Indians, and the Nation has not yet become a citizen. It remains today exactly what it was 165 years ago--in the words of the courts as reported to us by our attorney, Mr. Lewis, a 'quasi-sovereign dependent nation'! More important, our tribal lawyer tells me that the Supreme Court of the United States has held not once, but at least a dozen times, that the grant of citizenship does not affect any Indian treaty rights or in any other way change the special relationship of Indians and their property to the Federal Government. I am not an educated man, but it seems very strange to me that these lawyers from Carvania are willing to say that the Supreme Court ruled against the Sacne, when it did not even hear the case, while at the same time they are ignoring a whole series of actual Supreme Court decisions which go against their arguments.

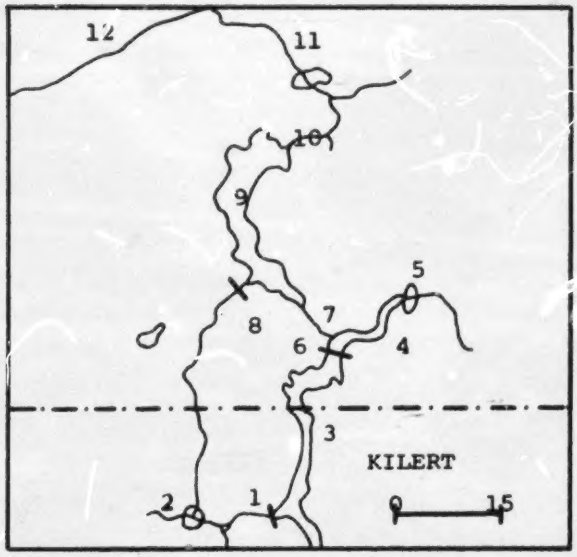
Now let me tell you a little bit about what the Kilbert Dam will do to my people. Our own census shows that over 700 members of the Nation or more than half the population of the Eston Reservation will be forced to move because of the reservoir. On paper, this does not seem like very many people; other lands and substitute houses can be found, say the supporters of the project. If you knew these Sacne the way I do though, if you knew how much they love that land--the last remnant of the original Sacne country--you would learn a different story. To lose their homes on the reservation is really to lose a part of their lives.

The Corps of Engineers will tell you that Kilbert Dam will flood only 10,000 out of the 29,000 acres within the Eston Reservation. What the Corps does not say is that this 10,000 acres includes almost all of the flat lowlands and fertile riverbanks, while the remainder of the Reservation is inaccessible and thus virtually uninhabitable mountainside. What the Corps also does not say is that during the dry season these 10,000 acres will not be a lake but rather muck and mud flats. What a pleasant yearly reminder, what an annual memorial to the breaking of the 1794 Treaty that will be!

Lastly, I know it will sound simple and perhaps silly, but the truth of the matter is that my people really believe that George Washington read the 1794 Treaty before he signed it, and that he meant exactly what he wrote. For more than 165 years we Sacne have lived by that document. To us, it is more than a contract, more than a symbol; to us, the 1794 Treaty is a way of life.

Times have not always been easy for the Sacne people. We have known and we still know poverty and discrimination. But through it all we have been sustained by a pledge of faith, unbroken by the Federal Government. Take that pledge away, break our Treaty, and I fear that you will destroy the Sacne as an Indian community.

The Sacne Nation always has taken the position that we will abandon our opposition to the Kilbert Dam if and when it is shown by competent evidence that the existing plans of the Corps of Engineers are better than any alternative plans. The facts are that Dr. Smith's study has revealed an alternative, the Kilanga-Courase plan, which appears superior to the authorized project. For this reason, we urge that the Committee pass H. R. 703, which would provide an independent investigation of the merits of the two proposals."



Alternate Proposals

The map illustrates the two possible alternative developments of the Eston River area. The Kilbert project consists mainly of a dam (1) at Kilbert just above the city of Wilson (2) the dam to be 160 feet high and will protect the valley below it against floods by storing water for a few days until it can be released safely downstream. In addition, it will store about 550,000 acre feet of water for increasing river flow during the low water season. It will completely flood the usable part of the Eston Valley above it in Carvania (3) and 2/3 of the usable part of the Sacne Indian Reservation in Newstate (4) reaching the city of Joffre (5).

The Kilanga-Courase alternative consists of a low diversion dam on the Eston at (6), a diversion channel (7) to pass water in either direction, a dam (8) on the Kilanga creek to create a reservoir (9) which can store about 1.5 million acre feet of water for low flood augmentation, an outlet channel and control works (10) to let unwanted excess flood waters overflow into Courase Creek (11) and then into Lake Northern (12).

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Sacne Nation to be Compensated

In Congressional action between 1963 and 1964, the U.S. Government provided for compensation to the Sacne Indians for abuses due to the proposed construction of the Dam. (Kilbert)

On February 7, 1964--H. R. 1794 passed the House. The Senate opened hearings on H. R. 1794 as it had passed the House and on March 30, 1964, passed an amended version of H. R. 1794 and S. 1836. The principal differences in Senate and House versions appeared in Section 4 relating to the amount of funds provided for rehabilitation. While H.R. 1794 provided for nearly $17 million for rehabilitation, in addition to $3 million for direct and indirect damages, the Senate version would have cut back the rehabilitation funds to $6 million.

A conference committee was appointed which reached agreement on a total settlement of approximately $15 million, more than $12 million of which would be allocated for rehabilitation purposes and the remainder for direct and indirect damages. The measure, as it came out of the conference committee, was passed by both Houses on August 31, 1964, and became law with the President's signature.

This material compensation does not, however, deal with the moral issue which has been posed by the Sacne Indians. Does the United States Government have the right to unilaterally break a treaty which was entered into in good faith by representatives of two peoples over one hundred and sixty five years ago; even if the Indians are paid off?

THE FRIENDSHIP JOURNAL: A SOCIAL ACTIVISTS PERSPECTIVE

Vol. 82, No. 12 Lesscare, North Colina 7 points

JUSTICE GREEN DISSENTS

Justice Jerry Green, a long time Supreme Court Justice, in his dissent to the final decision of the Supreme Court to allow the taking of Indian lands for a flood-control-power project; writing for himself, Justice William Snoot, and Justice Henry Westerland, in summary, presents this alternative which may possibly clarify this present land conflict with the Sacne tribe.

The conflict which has arisen over the Kilbert Dam Project is not one which will be easily decided. There are many factual as well as emotional factors which will enter into the final decision. Perhaps one can find some meaning in an examination of a parallel situation, which involved a land conflict between the United States government and another Indian group.

The question arises, why do these Indians hold so strongly to their lands and old culture? Are these lands that fertile, the topography that beneficial, the view that outstandingly beautiful, or their houses so well made as to be architectural examples to future generations? The answer to the above is no--but one overwhelming yes

must be identified--and that is this land is their ancestral home--the land of tribal birth, death, pain, happiness and all the other human feelings that ties man to life. The Indian has his remembrance, and he has his love. There is more to life than money, and certainly there are certain things which can't be priced, and are worth more than dollars and cents.

Although it has not been mentioned to us, there are probably cases where Congress has broken their word with the Indian. It is not so important whether it has or has not, but I know it is here. It is regrettable that this court is the governmental division that is breaking the faith with these dependent people. Strong nations, like strong men, should keep their word - breaking of the faith is impermissible.

There are many who feel that our nation should uphold the original treaty and carry out their moral responsibility to the Indian, and to allow them to keep their homeland.

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ANOTHER VIEWPOINT

Steve M. Stavor, an expert on Indian society writes the following: "The new dam has been troubling the Sacne tribe for many years, for it threatens their homes, river basin, and society's way of life which sustains their religious-like existence. The dam would cover their forefathers, and destroy the holy area where their shaman spoke. The Indian does not wish to sell his land for money, for the land is a part of him. Money passes on, but the land must be on-going. The land expresses his existence.

How this nation handles and resolves this issue is of more interest internationally than many Americans realize. There are many non-committed nations in this explosive world waiting to see the justice in which the United States treats these minority peoples. The Indian is recognized all over the world as a culture, one which has often been mistreated.

Let us not so easily erase a culture and its environment, since the two are so closely related, unless we are willing to examine all alternatives. The Indians with whom I talked about this problem have absolutely stated that the dam would destroy their culture by stopping them from pursuing their religion, destroying their mental health because of having separated them from their religious supernaturals, and by spreading them in such a fashion as to make it difficult for them to continue their way of community life.

The religion of the Sacne Indians is still being practiced, for many members still marry, are named and are buried by the established practices of the Long-House sacraments. His ceremonies are still a vital part of his religious beliefs. The greencorn harvest dance, mid-winter sundance and buffalo dance are events with religious meaning. according to their religion, a child would pass away if it did not receive a name before it lives one year. The Indian is tied to the land, he is

tied to his religion, and his religion is no less sacred than your own. To guarantee the basic beliefs underlying American democracy--the pursuit of happiness, the right to life, liberty, and property--one must examine the side of the aggrieved party as well as the government's position."

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AN INDIAN LEADER SPEAKS

The great Sacne Indian Nation signed a treaty with the United States government in 1794. The Nation did not beg for this Treaty, for at that time it was a powerful organization which, if it had agreed to ally itself with an enemy of the new nation, could have drastically influenced American history. The treaty was made in honor, neither side signing on bended knees. For signing this treaty and thus promising not to help the enemy of the United States, we received various lands which were to be ours forever. It was our belief that the President's word was to be trusted. We gave up all other lands, and in return we were never to be bothered on our land, nor was the government to lay claim to our lands.

But the times are changing, or rather have long changed, for our Indian nation is no longer to be feared, and the United States is no longer a weak, young nation needing our assistance. Now the President's word can be changed, and the Congress of the United States has the power to break his word. But might does not make something right, and the United States must honor the Treaty. The government must allow the old agreement to continue--the Kilbert dam must be denied. The Dam if allowed would go against Article III of the 1794 Treaty with the Sacne Indian Nation, and this is against the commitments of the United States in dealing with every tribe of Indians, not just our own. The honor of the United States must be kept. Stop the project. Have all alternatives examined. Allow the merits of the alternatives to speak for themselves.